

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MCNEIL-PPC, INC. AND MCNEIL CONSUMER
HEALTHCARE,

Plaintiffs,

- against -

GLAXOSMITHKLINE CONSUMER
HEALTHCARE, L.P.,

Defendant.

Case No. 15 Civ. 1866 (LTS)

ECF Case

**AMENDED AND SUPPLEMENTAL LIST OF EXHIBITS DEFENDANT INTENDS TO
INTRODUCE AND WITNESSES DEFENDANT INTENDS TO CALL FOR CROSS
EXAMINATION AT THE MARCH 30, 2015 PRELIMINARY INJUNCTION HEARING**

Pursuant to the March 26, 2015 Order of this Court, Defendant GlaxoSmithKline Consumer Healthcare L.P. (“GSK”) hereby respectfully submits the following Amended and Supplemental List of Exhibits Defendant Intends to Introduce and List of Witnesses Defendant Intends to Call for Cross Examination for the preliminary injunction hearing scheduled for March 30, 2015. GSK further reserves the right to use at the hearing any exhibits included on Plaintiffs’ Exhibit List, or otherwise introduced by Plaintiffs.

List of Exhibits Defendant Intends to Introduce	
Ex.	Description
A.	Plaintiffs’ Patel Declaration Exhibit A
B.	Plaintiffs’ Patel Declaration Exhibit B
C.	Plaintiffs’ Patel Declaration Exhibit C

D.	Plaintiffs' Patel Declaration Exhibit D
E.	Plaintiffs' Patel Declaration Exhibit E
F.	Plaintiffs' Patel Supplemental Declaration Exhibit A
G.	Plaintiffs' Sellers Declaration Exhibit A
H.	Plaintiffs' Sellers Declaration Exhibit B
I.	Plaintiffs' Sellers Declaration Exhibit C
J.	Plaintiffs' Sellers Declaration Exhibit D
K.	Plaintiffs' Sellers Declaration Exhibit E
L.	Plaintiffs' Sellers Declaration Exhibit F
M.	Plaintiffs' Sellers Declaration Exhibit G
N.	Plaintiffs' Sellers Declaration Exhibit H
O.	Plaintiffs' Sellers Declaration Exhibit I
P.	Plaintiffs' Sellers Declaration Exhibit J
Q.	Plaintiffs' Sellers Declaration Exhibit K
R.	Plaintiffs' Sellers Declaration Exhibit L
S.	Plaintiffs' Sellers Supplemental Declaration Exhibit A
T.	Plaintiffs' Sellers Supplemental Declaration Exhibit B
U.	Plaintiffs' Sellers Supplemental Declaration Exhibit C
V.	Plaintiffs' Sellers Supplemental Declaration Exhibit D
W.	Plaintiffs' Sellers Supplemental Declaration Exhibit E
X.	Defendant's Dev Declaration Exhibit A
Y.	Defendant's Dev Declaration Exhibit B

Z.	Defendant's Dev Declaration Exhibit C
AA.	Defendant's Dev Declaration Exhibit D
BB.	Defendant's Dev Declaration Exhibit E
CC.	Defendant's Dev Declaration Exhibit F
DD.	Defendant's Dev Declaration Exhibit G
EE.	Defendant's Dev Declaration Exhibit H
FF.	Defendant's Dev Declaration Exhibit I
GG.	Defendant's Dev Declaration Exhibit J
HH.	Defendant's Dev Declaration Exhibit K
II.	Defendant's Dev Declaration Exhibit L
JJ.	Defendant's Dev Declaration Exhibit M
KK.	Defendant's Dev Declaration Exhibit N
LL.	Defendant's Dev Declaration Exhibit O
MM.	Defendant's Dev Declaration Exhibit P
NN.	Defendant's Kahlon Declaration Exhibit 1
OO.	Defendant's Kahlon Declaration Exhibit 2 (Filed Under Seal)
PP.	Defendant's Kahlon Declaration Exhibit 3
QQ.	Defendant's Kahlon Declaration Exhibit 4
RR.	Defendant's Kahlon Declaration Exhibit 5
SS.	Defendant's Kahlon Declaration Exhibit 6
TT.	Defendant's Kahlon Declaration Exhibit 7
UU.	Defendant's Kahlon Declaration Exhibit 8

VV.	Defendant's Kahlon Declaration Exhibit 9
WW.	Defendant's Kahlon Declaration Exhibit 10
XX.	Defendant's Kahlon Declaration Exhibit 11
YY.	Defendant's Kahlon Declaration Exhibit 12
ZZ.	Defendant's Kahlon Declaration Exhibit 13
AAA.	Defendant's Kahlon Declaration Exhibit 14
BBB.	Defendant's Kahlon Declaration Exhibit 15
CCC.	Defendant's Kahlon Declaration Exhibit 16
DDD.	Defendant's Kahlon Declaration Exhibit 17
EEE.	Defendant's Kahlon Declaration Exhibit 18
FFF.	Defendant's Kahlon Declaration Exhibit 19
GGG.	Defendant's Kahlon Declaration Exhibit 20
HHH.	Defendant's Kivetz Declaration Exhibit 1
III.	Defendant's Kivetz Declaration Exhibit 2
JJJ.	Defendant's Kivetz Declaration Exhibit 3
KKK.	Defendant's Kivetz Declaration Exhibit 4 (Filed Under Seal)
LLL.	Defendant's Kivetz Declaration Exhibit 5 (Filed Under Seal)
MMM.	Defendant's Kivetz Declaration Exhibit 6 (Filed Under Seal)
NNN.	Defendant's Kivetz Declaration Exhibit 7 (Filed Under Seal)
OOO.	Defendant's Kivetz Declaration Exhibit 8 (Filed Under Seal)
PPP.	Defendant's Kivetz Declaration Exhibit 9 (Filed Under Seal)
QQQ.	Robin Simon, <i>Multi-Channel Markets Available from Neilsen and IRI: xAOC and MULO</i> , CPG DATA INSIGHTS (Apr. 29, 2013), available at

	http://www.cpgdatainsights.com/get-started-with-nielsen-iri/xaoc-and-mulo/ (last visited Mar. 27, 2015)
RRR.	CLARITIN.COM, PRODUCTS, https://www.claritin.com/products/ (last visited Mar. 27, 2015)
SSS.	ZYRTEC.COM, PRODUCTS, http://www.zyrtec.com/products (last visited Mar. 27, 2015)
TTT.	FLONASE.COM, HOW TO TAKE FLONASE, https://www.flonase.com/about/how-to-use-flonase/ (last visited Mar. 27, 2015)
UUU.	“2014 U S Study of Allergies - Top-Line Volume.PPT” (CONFIDENTIAL)
VVV.	Flonase Allergy Relief product packaging
WWW.	Claritin Tablets product packaging
XXX.	Claritin RediTabs product packaging
YYY.	Claritin Liqui-Gels product packaging
ZZZ.	Children’s Claritin Chewables product packaging
AAAA.	Zyrtec Tablets product packaging
BBBB.	Zyrtec Liquid Gels product packaging
CCCC.	Zyrtec Dissolve Tabs product packaging
DDDD.	Children’s Zyrtec Dissolve Tabs product packaging
EEEE.	Benadryl Tablets product packaging
FFFF.	Benadryl Liquid Gels product packaging
GGGG.	Declaration of Dr. Mitesh Patel, dated March 12, 2015
HHHH.	Declaration of Colleen Sellers, dated March 12, 2015
IIII.	Declaration of Norman Simon, dated March 12, 2015
JJJJ.	Declaration of Amardeep Kahlon, dated March 23, 2015
KKKK.	Declaration of Dr. Vidhu Dev, dated March 23, 2015

LLLL.	Declaration of Dr. Ran Kivetz, dated March 23, 2015
MMMM.	Supplemental Declaration of Dr. Mitesh Patel, dated March 27, 2015
NNNN.	Supplemental Declaration of Colleen Sellers, dated March 27, 2015
	Demonstrative regarding the calculations of Dr. Ran Kivetz
	Demonstratives showing portions of exhibits

List of Witnesses Defendant Intends to Call for Cross Examination

Dr. Mitesh Patel

Colleen Sellers

GSK reserved its right to modify the foregoing lists prior to the start of the March 30, 2015, hearing, upon reasonable notice to Plaintiffs and this Court.

Dated: March 29, 2015

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By: /s/ Jay P. Lefkowitz

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